

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1442.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF PEPPERMINT ESSENCE AND JAMAICA GINGER ESSENCE.

On January 4, 1912, the United States Attorney for the Western District of Washington, acting upon a report from the Secretary of Agriculture, filed an information in four counts in the District Court of the United States for said district against Simon Kreielsheimer, Jacob Kreielsheimer, and Max Kreielsheimer, copartners, doing business as Kreielsheimer Bros., alleging shipment by them, in violation of the Food and Drugs Act, on or about March 2, 1911, from the State of Washington into the Territory of Alaska of a quantity of peppermint essence and essence of Jamaica ginger, both of which were adulterated and misbranded. The peppermint essence was labeled: "Essence of Peppermint. Guaranteed by Kreielsheimer Bros., Seattle, under the Food and Drugs Act, June 30, 1906." The essence of Jamaica ginger was labeled: "Essence of Jamaica Ginger, Guaranteed by Kreielsheimer Bros., Seattle, under the Food & Drugs Act, June 30, 1906."

Analysis of a sample of each of said products made by the Bureau of Chemistry of the Department of Agriculture showed the following results:

I. S. No. 2137-d (Essence of Peppermint).

Specific gravity, 15.6°/15.6°	0. 9374
Alcohol (per cent by volume from specific gravity of essence)	48. 45
Peppermint oil (per cent by volume) 83
Coloring matter	turmeric.
Solids (grams per 100 cc) 055
Ash (grams per 100 cc) 002
Methyl alcohol	None.

I. S. No. 2136-d (Essence of Jamaica Ginger).

Specific gravity, 15.6°/15.6°	0. 9479
Alcohol (per cent by volume)	43. 68
Solids (grams per 100 cc)	1. 91
Alcohol-soluble solids (grams per 100 cc) 784

Water-soluble solids (grams per 100 cc).....	1.704
Reducing sugars as invert (grams per 100 cc).....	.405
Capsicum	present.
Ginger	present.
Ash (grams per 100 cc)314

Adulteration was alleged in the first count of the information against the essence of peppermint for the reason that a dilute essence of peppermint of less than one-third standard strength had been mixed and packed with the product in such a manner as to reduce and injuriously affect its quality and strength and had been substituted in part for the genuine article, and further because said product had been colored in a manner whereby its inferiority was concealed.

Misbranding was alleged in the second count of the information against this product for the reason that it was so labeled and branded as to deceive and mislead, being labeled "Essence of Peppermint", thereby purporting to be peppermint essence, when in fact it was a dilute essence of peppermint of less than one-third standard strength.

Adulteration was alleged in the third count of the information against the essence of Jamaica ginger for the reason that a solution of capsicum had been mixed and packed with said product in such a manner as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the genuine essence of Jamaica ginger.

Misbranding of said product was alleged in the fourth count for the reason that the label thereon was false and misleading, said product being labeled "Essence of Jamaica Ginger", when in fact it was not essence of Jamaica ginger but a mixture of essence of Jamaica ginger and a solution of capsicum, and further, because it was labeled and branded so as to deceive and mislead the purchaser, being labeled "Essence of Jamaica Ginger", when in fact it was not essence of Jamaica ginger, but a mixture of essence of Jamaica ginger and a solution of capsicum.

On January 5, 1912, the defendants pleaded guilty and were fined \$25 on each count, or a total of \$100, and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., April 3, 1912.

